

# Town of Mashpee

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## January 25, 2016

### **AGENDA BOARD OF SELECTMEN MONDAY, JANUARY 25, 2016**

**6:30 p.m. – Convene Meeting in Open Session – Waquoit Meeting Room – Mashpee Town Hall**

#### **PLEDGE OF ALLEGIANCE**

#### **MOMENT OF SILENCE**

#### **MINUTES**

Approval of the following: Monday, January 11, 2016 Regular and Executive Session

#### **APPOINTMENTS & HEARINGS**

- 6:30 – Public Comment
- 6:40 – Approval of request by New Seabury Properties, LLC to temporarily close the Country Club for deep cleaning and maintenance
- 6:45 – Approval of request by New Seabury Properties, LLC to temporarily close the Popponesset Inn for deep cleaning
- 6:50 – DPW Director, Catherine Laurent:
- Approval of recommendation for fee increase for collection of electronics at the Transfer Station
- Approval of submission of Statement of Interest for MSBA grant
- 7:00 – Protect Our Cape Cod Aquifer (POCCA) update, Laura Kelley
- 7:15 – Mashpee Cares update, Michael Richardson

#### **COMMUNICATIONS & CORRESPONDENCE**

#### **OLD BUSINESS**

- Update on holidays lights at the Mashpee rotary

#### **NEW BUSINESS**

- Approval of One-Day Liquor License for February 20, 2016, Mashpee Wampanoag Rod & Gun Club
- Approval of appointment from Associate Member to Full Member on the Zoning Board of Appeals,

Scott Goldstein

**ADDITIONAL TOPICS**

(This space is reserved for topics that the Chairman did not reasonably anticipate would be discussed)

**LIAISON REPORTS**

**EXECUTIVE SESSION**

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Present: Selectman Cahalane, Selectman Sherman, Selectman Gottlieb,  
Selectman O'Hara, Selectman Cotton  
Town Manager Rodney C. Collins

Meeting Called to Order by Chairman Cahalane at 6:30 p.m.  
Mashpee Town Hall, Waquoit Meeting Room

**MINUTES**

Monday, January 11, 2016 Regular and Executive Session:

**Motion made by Selectman Sherman to approve the Regular & Executive Session minutes of Monday, January 11, 2016 as presented.**

**Motion seconded by Selectman Cotton.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Cahalane, yes Selectman Sherman, yes Selectman Gottlieb, yes  
Selectman O'Hara, yes Selectman Cotton, yes Opposed, none**

**APPOINTMENTS & HEARINGS**

Public Comment: None at this time.

Approval of Request by New Seabury Properties, LLC to Temporarily Close the Country Club for Deep Cleaning and Maintenance:

The Board of Selectmen acting as the Licensing Authority for the Town of Mashpee opened the Public Hearing on the request of New Seabury Properties, LLC, d/b/a New Seabury Country Club, Paul M. Kruzel, Manager, to close for deep cleaning and maintenance.

Paul Kruzel, General Manager of New Seabury Properties was in attendance to request the Selectmen approve the annual closure of The Club at New Seabury for winter deep cleaning and maintenance. Correspondence was received from Mr. Kruzel dated January 6, 2016 with respect to this regard.

It was disclosed the restaurant will be closed from January 2, 2016 through March 25, 2016. The snack bar located in the lower level of the Clubhouse will be closed from January 4, 2016 through March 25, 2016.

During the intended closure, there are a few scheduled meetings and events planned to be held in the ballroom.

The scheduled events include the dates of January 19, 2016, February 16, 2016, and March 15, 2016 for the Mashpee Women's Club meetings. The Mercantile Meetings are scheduled to be held on January 23, 2016, February 27, 2016 and March 19, 2016. Included in the schedule of events are the Chamber of Commerce After Hours event on January 21, 2016 and the Cape Cod Academy Dance on February 2, 2016.

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## APPOINTMENTS & HEARINGS

### Approval of Request by New Seabury Properties, LLC to Temporarily Close the Country Club for Deep Cleaning and Maintenance:(continued)

The restaurant will reopen on Sunday, March 27, 2016 and will be open for business on Fridays and Saturdays from 11:00 a.m. to 9:00 p.m. starting April 1, 2016. The hours of operation will expand as the season opens. The snack bar will re-open in late March for weekends depending on the weather.

There was no public comment. In the future, it was agreed the applicant would be required to submit a request to the Board of Selectmen in advance of the intended closure dates.

**Motion made by Selectman Sherman to close the Public Hearing.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

#### **Roll Call Vote:**

Selectman Cahalane, yes Selectman Sherman, yes Selectman Gottlieb, yes  
Selectman O'Hara, yes Selectman Cotton, yes Opposed, none

**Motion made by Selectman Gottlieb to approve the request of New Seabury Properties, LLC, d/b/a New Seabury Country Club, Paul M. Kruzel, Manager, to close the restaurant and snack bar for deep cleaning and maintenance as referenced from January 2, 2016 through March 25, 2016 with the exception of the dates listed in the letter of January 6, 2016.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

#### **Roll Call Vote:**

Selectman Cahalane, yes Selectman Sherman, yes Selectman Gottlieb, yes  
Selectman O'Hara, yes Selectman Cotton, yes Opposed, none

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## APPOINTMENTS & HEARINGS

### Approval of Request by New Seabury Properties, LLC to Temporarily Close the Popponesset Inn for Deep Cleaning:

The Board of Selectmen opened the Public Hearing on the request of New Seabury Properties, LLC, d/b/a

Popponeset Inn, Paul M. Kruzel, Manager, to close for deep cleaning.

Paul Kruzel, Manager was in attendance to review the request to temporarily close the Popponeset Inn for annual deep cleaning through March 31, 2016. Correspondence was received from Mr. Kruzel dated January 6, 2016 with respect to this regard.

The restaurant is intended to be closed from January 1, 2016 through March 31, 2016 with the exception of the Chili Challenge scheduled to be held on January 16, 2016. Beginning April 1, 2016, the restaurant will be open for functions, and in May business will resume. The hours of operation will expand each month as the season approaches.

There was no public comment. In the future, it was agreed the applicant would be required to submit a request to the Board of Selectmen in advance of the intended closure.

**Motion made by Selectman Gottlieb to close the Public Hearing.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Cahalane, yes Selectman Sherman, yes Selectman Gottlieb, yes  
Selectman O'Hara, yes Selectman Cotton, yes Opposed, none**

**Motion made by Selectman Gottlieb to approve the request of New Seabury Properties, LLC, d/b/a Popponeset Inn, Paul M. Kruzel, Manager, to close the restaurant for deep cleaning and maintenance as referenced from January 1, 2016 through March 31, 2016 with the exception of the date listed in the letter of January 6, 2016.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Cahalane, yes Selectman Sherman, yes Selectman Gottlieb, yes  
Selectman O'Hara, yes Selectman Cotton, yes Opposed, none**

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#### APPOINTMENTS & HEARINGS

DPW Director, Catherine Laurent:

Approval of Recommendation for Fee Increase for Collection of Electronics at the Transfer Station:

Correspondence was received from the Director of Public Works dated January 19, 2016 relative to recommendations for fee increases at the Transfer Station. As a result of increasing costs at the Transfer Station for the disposal of electronics the Director has proposed the following fee increases that were read aloud into the record;

Electronics –	Currently \$5	Proposed \$10
Monitors –	Televisions;	
20" –	Currently \$5	Proposed \$10

20-35"	Currently \$10	Proposed \$25
36"/Console	Currently \$20	
36" – 50"		Proposed \$35
51" +/-Console		Proposed \$50

Residents pay a separate fee at the gate for the disposal of electronics.

With the increases, the DPW will increase public awareness of the no cost "Take Back" programs offered by several retailers.

Discussion followed. There were several questions regarding the proposal. One of which was the margin of cost the Town incurs to dispose of the items, and if a Transfer Station sticker is required to dispose of an electronic item. Additionally, are non-residents able to pay a fee to dispose of an electronic item? This information was not included in the memorandum.

It was noted the Board of Selectmen is scheduled to review matters associated to the Transfer Station at their next meeting. It was determined this matter would be tabled, and further addressed at the next Selectmen's meeting.

#### Approval of Submission of Statement of Interest for MSBA Grant:

Additional communication was received from Catherine Laurent; DPW Director dated January 20, 2016 relative to the need to replace the windows at the Quashnet School. This project has been identified as a capital expenditure earmarked for CIP funding since 2010. The windows are original to the 1978 building construction.

In 2013, the Town applied for a grant to assist with the replacement windows offered by the Massachusetts School Building Authority (MSBA). However, the grant was not selected for funding.

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#### APPOINTMENTS & HEARINGS

#### DPW Director, Catherine Laurent:

#### Approval of Submission of Statement of Interest for MSBA Grant: (continued)

Recently, the MSBA has opened their application process for 2016. The window replacement project is eligible for funding under their Accelerated Repair Program. The deadline for the submittal of a Statement of Interest (SOI) is February 12, 2016. This is the first step in the approval process.

If approved, the selected town would be required to complete a schematic design and budget. The town would be required to commit to contribute 100% of the cost of the design. If the design and project is selected MSBA would consider funding the final design and construction associated to the window project. If selected, the town would receive an estimated reimbursement of 38% to offset project costs.

Discussion followed with respect to obtaining bid specifications related to the required design plan for the window replacement project. Generally, suppliers submit a no cost estimate for their representing product to general contractors.

It was determined under the state public bid law municipalities are required to provide specifications for a competitive bid process. Potential bidders are able to participate in the scope of the project as long as it is not proprietary. Under bid requirements, a town is required to acquire the lowest bid unless there are reasons the lowest bid is not deemed satisfactory.

In reviewing the project proposal, it was agreed the MSBA would be consulted regarding the eligibility potential

in this funding round. It was noted the terms and conditions of the grant should also be satisfactory to the town if the town is selected in the grant process.

**Motion made by Selectman Sherman to submit the Statement of Interest form to the Massachusetts School Building Authority for the replacement of the Quashnet School windows.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Cahalane, yes Selectman Sherman, yes Selectman Gottlieb, yes  
Selectman O'Hara, yes Selectman Cotton, yes Opposed, none**

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Protect Our Cape Cod Aquifer (POCCA) update, Laura Kelley:

Laura Kelley, Director of Protect Our Cape Cod Aquifer (POCCA) was in attendance to request the Board of Selectmen write a letter in support of Senator Dan Wolf's Bill No. S.478, an act if passed would give each town the right to negotiate a no pesticide spraying agreement with Eversource Energy. A sample letter of support was provided to the Selectmen for review and consideration.

**Motion made by Selectman Gottlieb to send a letter in support of Senate Bill No. 478 as referenced.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

**Selectman Cahalane, yes Selectman Sherman, yes Selectman Gottlieb, yes  
Selectman O'Hara, yes Selectman Cotton, yes Opposed, none**

In addition the Board of Selectmen was invited to discuss the possibility of joining efforts in taking Eversource to court in an effort to stop all herbicide spraying along town owned and privately owned rights-of-ways. It was agreed the Town Manager would discuss this matter with Town Counsel, Patrick Costello. There was no action at this time with respect to this regard.

Mashpee Cares Update, Michael Richardson:

Mashpee Cares member Mike Richardson was in attendance with Gail Wilson, Mashpee's Human Services Director to announce the statewide media campaign with the goal of making the State of Massachusetts "A State Without Stigma."

As part of the Governor's Action Plan to address the Opioid Epidemic in the Commonwealth, the Board of Selectmen was requested to accept The Pledge.

Selectman Sherman read aloud The Pledge as follows:

*We, the Board of Selectmen for the Town of Mashpee, support the "#State Without Stigma." We understand the addition is not a choice – it's a disease. We pledge to join the movement against stigma by embracing those*

*in need and showing compassion in how we think about, talk about, and treat people who struggle from addiction – empowering them to seek treatment and a successful recovery.*

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#### APPOINTMENTS & HEARINGS

Mashpee Cares Update, Michael Richardson: (continued)

**Motion made by Selectman Sherman to support the #StateWithoutStigma Pledge as presented.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

#### **Roll Call Vote:**

**Selectman Cahalane, yes Selectman Sherman, yes Selectman Gottlieb, yes  
Selectman O'Hara, yes Selectman Cotton, yes Opposed, none**

In closing, Mr. Richardson indicated the Mashpee Cares organization began in 2010. At the time, the main focus was on the health and well-being of Mashpee youth. After review of the many facets of health and well-being it was determined the committee would focus more on the prevention of drug and alcohol abuse outlined through education and media communication. The Mashpee Cares Committee is now more unified and is partnering with the Barnstable County Substance Abuse Council.

A training program is planned on February 23, 2016 from 12:30 p.m. to 5:00 p.m. at the Mashpee Public Library with Mashpee Cares and representatives of Barnstable County.

#### COMMUNICATIONS & CORRESPONDENCE

#### OLD BUSINESS

Update on Holidays Lights at the Mashpee Rotary:

It was announced the Mashpee Pops Committee has offered to donate \$10,000 per year for the purpose of installing and dismantling the Holiday lighting display at the Mashpee Rotary. It was agreed this is a generous and reasonable offer from the Pops Committee. A special events line item for the donation will be considered to earmark funding for this purpose.

After review, and discussion with the DPW Director it has been determined the Department of Public Works with training would assume this responsibility. It was agreed the true cost would be evaluated after the term of one year if the donation does not cover the costs associated to the installation and take-down of the lighting. In addition, the electricity costs assumed by the town and associated to the display of the lighting would be further reviewed.

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NEW BUSINESS

Approval of One-Day Liquor License for February 20, 2016, Mashpee Wampanoag Rod & Gun Club:

Mashpee Wampanoag Rod & Gun Club member Courtenay Mills was before the Board requesting to use the Club's One-Day Liquor License of February 20, 2016 for a club function.

**Motion made by Selectman Gottlieb to approve the request of Mashpee Wampanoag Rod & Gun Club to use their One-Day Liquor License on February 20, 2016 as requested.**

**Motion seconded by Selectman O'Hara.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Cahalane, yes Selectman Sherman, yes Selectman Gottlieb, yes  
Selectman O'Hara, yes Selectman Cotton, yes Opposed, none

Approval of Appointment from Associate Member to Full Member on the Zoning Board of Appeals, Scott Goldstein:

The Board of Selectmen was in receipt of a letter of interest from Scott Goldstein dated December 28, 2015 requesting to be appointed to Full Member Status on the Zoning Board of Appeals. Additional communication was received from the ZBA dated January 15, 2016 recommending Mr. Goldstein's appointment.

**Motion made by Selectman O'Hara to appoint Scott Goldstein from Associate Member to Full Voting Member status on the Zoning Board of Appeals.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 5-0.**

**Roll Call Vote:**

Selectman Cahalane, yes Selectman Sherman, yes Selectman Gottlieb, yes  
Selectman O'Hara, yes Selectman Cotton, yes Opposed, none

LIAISON REPORTS

Schools: It was reported the School Committee reorganized at their last meeting. Don Myers is now the Chairman of the School Committee. George Schmidt is the Vice-Chairman.

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Adjournment:

**Motion made by Selectman O'Hara to adjourn at 7:07 p.m.**

**Motion seconded by Selectman Sherman.**

**VOTE: Unanimous. 5-0.**



**Roll Call Vote:**

**Selectman Cahalane, yes Selectman Sherman, yes Selectman Gottlieb, yes  
Selectman O'Hara, yes Selectman Cotton, yes Opposed, none**

Respectfully submitted,

Kathleen M. Soares  
Secretary to the Board of Selectmen